

REMARKS

In accordance with the foregoing, claims 1, 4, 6, 8, 15, 17, 19, 21, 23 and 24 have been amended. Claims 3, 16 and 25-28 have been cancelled. Claims 1, 2, 4-15 and 17-24 are pending and under consideration.

CLAIM REJECTIONS

Claims 1, 2 and 15 were rejected under 35 USC 102(b) as being anticipated by Tamayama (JP 06-068574) (hereinafter "Tamayama").

Claims 3-10, 13 and 14 were rejected under 35 USC 103(a) as being unpatentable over Tamayama in view of Omori et al. (US 6,246,654) (hereinafter "Omori").

Claims 25-28 were rejected under 35 USC 103(a) as being unpatentable over Tamayama in view of Hui (US 2002/0179465) (hereinafter "Hui").

Omori discusses a disk device. In Omori, a spindle motor 39 is vertically mounted within the recess 25 of the vertically rotatable frame 16 at a position near the front end portion 16b, and a disk table 40 formed of a metal magnetic member, is horizontally fixed to an upper end of a motor shaft 39a of the spindle motor 39. The disk table 40 is integrally provided with a centering guide 40a which is formed on an upper surface of the disk table 40 at the center thereof and to which a central hole 1a of the optical disk 2 is fitted. Further, an optical pickup 41 is horizontally mounted within the recess 25 of the vertically rotatable frame 16 at a position rearward of the spindle motor 39. The optical pickup 41 has a carriage 44 to which an objective lens 42 and a light reflecting type skew sensor 43 are mounted to face upward vertically. An optical block 45 for transmitting a laser beam to the objective lens 42 is integrally attached to a side surface of the carriage 44. Omori, 3:26-3:42 and Figure 7.

Claims 1-14

Amended claim 1 recites: "...wherein the spindle motor is installed to be movable in an upward and downward direction with respect to the disc holder." Support for this amendment may be found in at least original claim 3. As stated in the Office Action, Tamayama does not show the spindle motor to be movable in an upward and downward direction. The Examiner relies on Omori to supply this deficiency of Tamayama. However, Omori only briefly discusses the spindle motor 39 in the background section and discusses that in Omori a disk table 40 is horizontally fixed to an upper end of a motor shaft 39a of the spindle motor 39. This is confirmed

by Figures 7 and 22 of Omori. It would appear that the spindle motor 39 and disk table 40 were permanently connected in contrast to amended claim 1, where the spindle motor is installed to be movable in an upward and downward direction with respect to the disc holder. As such, amended claim 1 patentably distinguishes over Omori and Tamayama.

Claim 3 has been cancelled. Claims 2, 4-10, 13 and 14 depend on claim 1 and are therefore believed to be allowable for at least the foregoing reasons. Further, claims 2, 4-10, 13 and 14 recite features that patentably distinguish over Omori and Tamayama, taken alone or in combination. For example, claim 4 recites a first coupler joinable to the disc holder, and a second coupler is provided on the rotatable shaft of the spindle motor to be connectable to the first coupler in a male-female manner as the spindle motor moves upward.

Withdrawal of the foregoing rejection is requested.

Claim 15

Amended claim 15 recites: "...wherein the first member is a ring-shaped member having an outer ring and an inner ring, and a plurality of projections are projected toward the inner side of the inner ring." Claim 1 has been amended to include the allowable subject matter of claim 16 and is therefore believed to be allowable for the foregoing reason.

Withdrawal of the foregoing rejection is requested.

Claims 25-28

Claims 25-28 have been cancelled.

ALLOWABLE SUBJECT MATTER

The Applicants acknowledge with appreciation that claims 11, 12 and 16-24 have been found to contain allowable subject matter. Claim 16 has been cancelled. Claims 19, 21, 23 and 24 have been rewritten in independent form and are now believed to be in a condition for allowance. It is respectfully submitted that claims 11, 12, 17, 18, 20 and 22 are allowable in their present condition in view of the foregoing amendments.

CONCLUSION

There being no further outstanding objections or rejections, it is submitted that the application is in condition for allowance. An early action to that effect is courteously solicited.

Finally, if there are any formal matters remaining after this response, the Examiner is requested to telephone the undersigned to attend to these matters.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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